



Joseph V. DeMarco
Telephone: 212.922.9499
jvd@devoredemarco.com

April 17, 2017

VIA ECF

Honorable P. Kevin Castel
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, New York 10007-1312

Re: *Dog & Bone Holdings Pty Ltd. v. Nokē Ltd. et al.* (No. 16-cv-3932)

Dear Judge Castel,

The parties to the above-captioned litigation submit this joint letter with regard to the Civil Case Management Plan and Scheduling Order filed September 23, 2016 (Dkt. 27) (hereinafter “Scheduling Order”); the Court’s Order, dated January 9, 2017, extending the deadline for completion of Disclosure of Invalidity Contentions to January 18, 2017 (Dkt. 29); the Court’s Order, dated January 18, 2017, extending the deadlines for each of the Disclosure of Invalidity Contentions, Fact Discovery, Expert Discovery, and Opinion of Counsel by one month (Dkt. 31); the Court’s Order, dated February 21, 2017, extending the deadlines for each of the above by an additional month (Dkt. 35); and the Courts Order, Dated March 30, 2017 again extending the deadlines for each of the above by an additional month (Dkt. 38).

The parties are still negotiating the details of a mutually acceptable settlement and so we write to request that the Court extend the deadlines set forth in the orders above by one additional month. All parties have agreed that, with the Court’s permission, the deadlines be extended as follows:

- Disclosure of Invalidity Contentions to May 17, 2017;
- Fact Discovery to August 10, 2017;
- Expert Discovery to October 30, 2017; and
- Opinion of Counsel to December 4, 2017.

This is the parties’ fifth request for an extension of time relating to the Disclosure of Invalidity Contentions and the fourth request for an extension of time relating to all other deadlines.



Respectfully submitted,

/s/ Joseph V. DeMarco
Joseph V. DeMarco (JD3499)
DEVORE & DEMARCO LLP
99 Park Avenue, Suite 1100
New York, NY 10016
(212) 922-9499
jvd@devoredemarco.com

*Attorneys for Defendants/Counter-Claimants
Nokē LLC and Fūz Designs LLC*

/s/ Stefan R. Stoyanov
Stefan R. Stoyanov
STOYANOV LAW P.L.L.C.
757 Third Avenue, 20th Fl.
New York, NY 10017
(212) 602-1338
stefan@stoyanovlaw.com

Attorney for Plaintiff Dog & Bone

Cc: Justin K. Flanagan
Phillips Ryther & Winchester
124 South 600 East
Salt Lake City, Utah 84102
(810) 368- 2405

*Attorneys for Defendants/Counter-Claimants
Nokē LLC and Fūz Designs LLC*